

## CHAPTER 1.0 INTRODUCTION

Assembly Bill (AB) 939, California's mandated waste diversion law, required all jurisdictions within the State to reduce the amount of material sent to the landfill by 50% at the end of the year 2000. To meet this mandate Stanislaus County Unincorporated and the cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford created the Countywide Integrated Waste Management Plan (CIWMP).

The components of the CIWMP are: the Source Reduction and Recycling Element, Household Hazardous Waste Element, the Non-disposal Facility Element, the Siting Element and the Summary Plan.

The State of California Public Resource Code (PRC) requires each jurisdiction and/or agency to review its CIWMP at least once every five years. The following is a summary of the codes, regulations and correspondence as they relate to the five-year review and the Local Task Force (LTF):

PRC, Division 30, Part 1, Chapter 1, Article 2, Section 40051, outlines the hierarchy of priorities for the LTF:

“...(1) Source Reduction. (2) Recycling and composting. (3) Environmentally safe transformation and environmentally safe land disposal...”

PRC, Division 30, Part 2, Chapter 1, Article 2, Section 40950, states:

“...To ensure a coordinated and cost-effective regional recycling system, the task force shall do all of the following:

1. Identify solid waste management issues of countywide or regional concern.
2. Determine the need for solid waste collection and transfer systems, processing facilities, and marketing strategies that can serve more than one local jurisdiction within the region.
3. Facilitate the development of multi jurisdictional arrangements for the marketing of recyclable materials.
4. To the extent possible, facilitate resolution of conflicts and inconsistencies between or among city and county source reduction and recycling elements.

The task force shall develop goals, policies and procedures which are consistent with guidelines and regulations adopted by the board, to guide the development of the siting element of the countywide integrated waste management plan.”

Article 3, Plan Revision, states:

“...The Plan shall be reviewed, revised, if necessary, and submitted to the board every five years...Any revisions shall use a method which the waste board shall develop and shall conduct waste disposal characterization studies if you fail to meet the diversion requirements...Each city, county, or regional agency shall review its source reduction and recycling element or the countywide integrated waste management plan at least once every five years to correct any deficiencies in the element or plan, to comply with the requirements...”

The California Code of Regulations (CCR):

Section 18788. states:

“...Prior to the fifth anniversary the LTF shall complete a review in accordance with PRC sections 40051, 40052 and 41822, to assure practices remain consistent with the hierarchy of waste management practices...the LTF shall submit written comments on areas which require revision...Within 45 days of receiving the LTF comments the county or regional agency shall determine if a revision is necessary, and notify the LTF and the Board of its findings. Within 90 days of receipt of the report the Board shall review the findings, and at a public hearing, approve or disapprove the findings...”

The list below represents a chronological summary of correspondence exchanged between CIWMB and DER staff related to the five-year review:

July 21, 2000

CIWMB letter regarding the five-year review process states:

“...The boards Legal staff has determined that jurisdictions can utilize their Annual Reports to the Board to update program information where it has been determined that a revision is not necessary...” (appendix A)

August 19, 2001

The Stanislaus County Department of Environmental Resources (DER) issued a five-year review report to the CIWMB. This report was composed after an extensive review of the CIWMP by the LTF. (appendix B)

October 11, 2001

In response to the report mentioned above, the CIWMB sent a letter to DER requesting the report be re-issued with changes in the format and content of the report (appendix C).

January 24, 2002

DER reply to October 11<sup>th</sup> letter proposing a tentative time-line for completion of the five-year review (appendix D).

April 12, 2002

Letter from DER confirming with the CIWMB the suspension of the tentative time-line mentioned in the previous correspondence (appendix E).

August 22, 2002

Correspondence to the CIWMB acknowledging resumption of work on the five-year review report by DER (appendix F).

## **CHAPTER 2.0      BACKGROUND**

The Source Reduction and Recycling Element (SRRE), the Household Hazardous Waste Element (HHWE) and the Nondisposal Facility Element (NDFE) were prepared for each of the following jurisdictions: Stanislaus County Unincorporated and the cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford.

The above elements plus the following documents comprise the CIWMP:

- ☐ The Countywide Siting Element (CSE)
- ☐ The Countywide Summary Plan (SP)

Both SRRE's and HHWE's were approved by the CIWMB in May of 1995.

The NDFE's were approved in May of 1995. The CSE, SP and the CIWMP were approved by the CIWMB on June 26, 1996. Thus the anniversary date for the first five-year CIWMP review is June 26, 2001.

The County and all the cities, with the exception of Modesto, have formed a Regional Agency. The CIWMB approved the formation of the Stanislaus County Regional Solid Waste Planning Agency on July 23, 2002. The CIWMB also approved the regional diversion rate of 52%, however due to the timing of the regional agency the CIWMB will record an ND, Not Determined, for the year 2000. The CIWMB approved the city of Modesto generation study and established a new base year of 2000 at its February 2003 meeting. The CIWMB also approved the city of Modesto's new diversion rate of 61 % for the year 2000.

## **CHAPTER 3.0      PURPOSE**

The purpose of this CIWMP Review Report is:

- (1) to document the compliance of Stanislaus County and the cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford with PRC 41822 and CCR 18788: and
- (2) to provide a comprehensive review of the CIWMP, soliciting comments, recommendations, and support for the courses of action identified by the LTF to achieve increased levels of diversion.

## CHAPTER 4.0      LOCAL TASK FORCE REVIEW

The Stanislaus County Local Task Force on Solid Waste Management (LTF) is scheduled to meet every other month. However, during 2001 special monthly meeting were scheduled to complete the five-year CIWMP review. At the March 8, 2001 special meeting of the LTF, the review was agendized and discussed. Over the course of the next several months the LTF reviewed all documents contained within the CIWMP to determine what updating and/or revisions to the CIWMP were necessary.

At the July 12, 2001 special meeting of the LTF, fourteen recommendations were identified as components of the CIWMP that needed updating. With a quorum present, a vote was taken and the results are as follows:

1. Revisions to the Source Reduction and Recycling Elements and Household Hazardous Waste Elements are not necessary (annual reports take care of this).
2. A new waste characterization study is not necessary at this time (50% goal is met among Regional Agency; City of Modesto is conducting a new waste characterization study since they are separate from the Agency).
3. Remove the word "eligible" in Chapter 2.0, Section 2.1.2 (Summary Plan).
4. Update Section 3.1.1 of Chapter 3.0, to reflect changes in the population and demographics of the County (Summary Plan).
5. Update Table 4-5 of Chapter 4.0, to reflect current amount of waste exported from the County (Summary Plan).
6. Update Section 4.1.2. of Chapter 4.0 to reflect changes to the names and addresses of the permitted solid waste facilities (Summary Plan).
7. In Chapter 3.0 Section 3.1.2, formation of the Regional Agency should be added to the discussion (Summary Plan).
8. Chapter 6.0 Section 6.1.1, Facility Size, the wording, "at least 300 acres, with 500 or more being desirable" should be added for consistency with Goal #5 on page 2-2 (Siting Element). (see addendum I, Item # 8).
9. The map on page 6-4 should be re-drawn to update additional reserved area to the west and/or south (Siting Element). (see addendum I, Item # 9).
10. Tables 3-3 through 3-6 should be updated (Siting Element) in addition to the organizational chart on page 9-2.

11. The word "tentatively" (reserved) should be removed throughout the Siting Element.

12. Chapter 4.0 should reflect updates to solid waste facilities (Siting Element).

All of the above changes will be in an addendum at the end of this document. Each item, as numbered above, will be similarly numbered in the addendum.

## CHAPTER 5.0 SECTION 18788 (3) (A) THROUGH (H) ISSUES

### OVERVIEW

The Local Task Force (LTF) reviewed each CIWMP document and found that the documents, accompanied by the annual reports, continue to serve as appropriate reference tools for implementing and monitoring compliance with AB939. The goals, objectives, and policies in the elements are still applicable and consistent with PRC 40051 and 40052.

The selected programs for each component were reviewed. Nearly all programs have been implemented. The annual reports and the Planning Annual Report Information System (PARIS) for the County and for each city are up to date. Although there have been some changes in program implementation, schedules, costs, and results, these changes are not considered significant. Additionally, the continued emphasis on program development, evaluation and implementation are more significant than refining the CIWMP through a revision.

### DIVERSION RATE TRENDS

The diversion performance for the county and cities are identified in Table 5-1.

**Table 5-1. Diversion Rate Trends (1995-1999)**

	1995	1996	1997	1998	1999
Ceres	34	33	36	17	29
Hughson	25	24	27	25	12
Modesto	19	21	NA	NA	NA
Newman	26	22	24	25	23
Oakdale	25	23	26	25	-5
Patterson	34	28	36	21	17
Riverbank	25	39	34	27	20
Stanislaus Unincorporated	66	66	51	55	64
Turlock	43	38	40	31	35
Waterford	44	45	49	41	37

Source: CIWMB Website – Diversion Measurement

The Stanislaus County Regional Solid Waste Planning Agency was formed and accepted by the California Integrated Waste Management Board on July 23, 2002. The Regional Agency's current diversion rate is 52%. The city of Modesto's current diversion rate is 61%.

## DEMOGRAPHICS

Table 5.2 depicts demographic changes from 1990-1999. The county has experienced significant growth, which has increased waste generation.

**Table 5-2. Demographic Changes**

Demographic Factor	1990	2000	%Change
Ceres Population	26,413	32,950	19.84%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	169,174	324,931	92.10%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Hughson Population	3,270	3,980	17.84%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	11,187	20,669	84.80%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Modesto Population	164,730	188,856	12.77%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	1,569,346	2,189,989	28.34%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Newman Population	4,158	6,375	34.78%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	41,194	35,388	16.41%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Oakdale Population	11,978	14,950	19.88%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	141,778	239,460	68.90%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Patterson Population	8,626	10,950	21.22%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	41,881	68,893	64.50%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Riverbank Population	8,591	14,600	41.16%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	25,466	72,146	183.30%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%



<b>Demographic Factor (continued)</b>	<b>1990</b>	<b>2000</b>	<b>%Change</b>
Stanislaus Unincorporated Population	370,522	441,400	16.06%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	636,465	1,143,775	79.70%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Turlock Unincorporated Population	42,224	53,500	21.08%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	369,785	640,787	73.30%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%
Waterford Unincorporated Population	4,771	6,775	29.58%
Countywide Employment	159,200	185,700	16.60%
Taxable Sales Transaction (x1000)	12,951	24,281	87.50%
Countywide Consumer Price Index (CPI)	135	174.80	29.50%

Source: CIWMB Website – Default Adjustment Factors, 2000 Annual Report

## QUANTITIES OF WASTE

Table 5-3 presents the calculated per capita waste generated, pounds per person per day (ppd) of residents within each jurisdiction. The statewide per capita for total waste generated in 1990 was approximately 8 ppd. The statewide per capita for residential waste in 1990 was about 3 ppd. The per capita waste generation within the City of Newman was above the statewide average. This can be attributed to the large growth in population experience during this 10-year period. In conjunction with population growth comes the increase in the home building industry. These two factors contributed to the high ppd for the City of Newman. Stanislaus County unincorporated and the remaining cities all have generation totals below the statewide averages.

**TABLE 5-3. 1990 Base Year Per Capita Calculations**

<b>Parameter (1990 Values)</b>	<b>Population</b>	<b>Total Waste Generation (tons)</b>	<b>Per Capita (Pounds per Person per day)</b>	<b>Residential Waste Generation</b>	<b>Per Capita (Ppd)</b>
Ceres	26,413	27,357	5.68	11,408	2.37
Hughson	3,270	2,960	4.96	965	1.62
Modesto	164,730	149,582	4.98	64,853	2.16
Newman	4,158	7,433	9.80	3,202	4.22
Oakdale	11,978	14,131	6.46	5,638	2.58
Patterson	8,626	10,359	6.58	3,750	2.38
Riverbank	8,591	9,322	5.95	4,257	2.72
Stanislaus Unin	95,756	111,645	6.39	28,135	1.61
Turlock	42,224	51,258	6.65	15,791	2.05
Waterford	4,771	4,328	4.97	1,053	1.21

Source: CIWMB Approved SRREs

## DISPOSAL TONNAGE TRENDS

The reported disposal tonnage (according to the CIWMB QDRS) is compiled in Table 5-4 for each jurisdiction for the period 1995 through 2000. Except for the City of Hughson, the tonnage has increased and likely represents the significant growth occurring in the County from housing construction and expansion of the commercial sector.

**Table 5-4. Disposal Tonnage Trends**

	1995	1996	1997	1998	1999	2000
Ceres	25,211	24,867	24,362	32,128	29,365	27,833
Hughson	3,095	3,096	2,897	3,122	3,770	2,887
Modesto	154,743	155,314	155,026	181,377	194,860	174,847
Newman	6,375	6,300	6,285	6,286	6,886	6,824
Oakdale	14,276	14,252	14,040	14,642	21,366	26,444
Patterson	8,048	8,731	8,330	10,704	11,676	11,636
Riverbank	11,201	8,947	9,661	11,324	14,369	17,921
Stanislaus Unin	95,585	95,892	135,130	129,874	108,286	136,303
Turlock	41,194	42,363	42,499	50,895	50,270	49,375
Waterford	3,344	3,156	3,219	3,821	3,991	3,372
Countywide	363,072	362,918	401,449	444,173	444,839	457,442

Source: CIWMB Website – Quarterly Disposal Reporting System

Solid waste disposal and waste generation were projected for the fifteen-year period (1990-2005) in the SRRE's. The QDRS and the calculated waste generation resulting from the adjustment methodology formula compared the projections for 2000 with the reported disposal tonnage. The results of the comparison are depicted in Tables 5-5 and 5-6.

**Table 5-5 Comparison of SRRE 2000 Projected Disposal Tonnage Vs. 2000 Reported Disposal Tonnage**

Jurisdiction	Projected Waste Quantities Disposed of at Landfills	Projected Waste Quantities Disposed of at WTE Plant	Total SRRE Projected Tonnages	QDRS Reported	% Difference
Ceres	10,269	19,697	29,966	27,833	-7%
Hughson	1,391	2,131	3,522	2,887	-18%
Modesto	56,663	107,669	164,362	174,847	6%
Newman	3,796	4,078	7,874	6,824	-13%
Oakdale	3,744	10,175	13,919	26,444	90%
Patterson	3,361	7,459	10,820	11,636	8%
Riverbank	3,825	6,712	10,537	17,921	70%
Stanislaus Unin	17,781	80,385	98,166	136,303	39%
Turlock	21,109	36,906	58,015	49,375	-15%
Waterford	996	3,116	4,112	3,372	-18%
Countywide	66,378	168,209	234,587	282,595	20%

Source: Quarterly Disposal Reporting System and Approved SRREs

**Table 5-6.**

**Comparison of SRRE 2000 Projected Waste Generation Tonnage Vs. 2000  
Calculated Waste Generation Tonnage (Adjustment Methodology)**

<b>Jurisdiction</b>	<b>SRRE Projected</b>	<b>Adjustment Method</b>	<b>% Difference</b>
Ceres	29,966	24,559	-18%
Hughson	3,522	2,514	-29%
Modesto	164,362	139,106	-15%
Newman	7,874	6,098	-23%
Oakdale	13919	24,736	78%
Patterson	10,820	10,847	.25%
Riverbank	10,537	16,754	59%
Stanislaus Unincorporated	98,166	110,224	12%
Turlock	58,015	42,892	-26%
Waterford	4,112	2,845	31%
Countywide	401,293	380,575	5%

Source: Approved SRREs

## **FUNDING SOURCES**

No changes have occurred in the basic funding sources for the administration of the CSE and the Summary Plan. Tipping fees of \$1.50 per ton at the waste-to-energy facility remains as the source of funds for CIWMP program development, implementation and monitoring.

## **ADMINISTRATIVE RESPONSIBILITIES**

No changes have occurred in the administration of the CIWMP. Stanislaus County Department of Environmental Resources is the lead agency responsible for AB 939 management for cities in Stanislaus County. The City of Modesto is responsible for the preparation of the their annual report.

## **PROGRAM IMPLEMENTATION**

Planning Annual Report Information System (PARIS) program summaries have been updated and contain comprehensive notes. Programs have been verified by the appropriate local jurisdictions and CIWMB staff. Additionally, the Paris Reports for Stanislaus County unincorporated and the cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford have been updated. (appendix G).

## **PERMITTED DISPOSAL CAPACITY**

The Fink Road Landfill located on the Westside of the County is permitted to receive 1500 tons of waste per day. The Fink Road Landfill averages approximately 290 tons per day. The estimated capacity for the Fink Road Landfill is in excess of 15 years.

Bonzi Sanitation Landfill has a maximum permitted daily disposal of 200 tons. The estimated capacity for the Bonzi Landfill is approximately 6 to 7 years. This facility is not a public landfill; therefore, it only accepts waste from commercial and industrial waste haulers.

Covanta Stanislaus Inc., a waste-to-energy transformation facility, has a maximum permitted daily throughput of 1700 tons. The average daily waste received is approximately 800 tons per day. The estimated operational life of the facility with proper maintenance would be in excess of 25 years.

### **AVAILABLE MARKETS**

Markets for recovered recyclable materials have had no significant changes other than the normal fluctuations associated within these markets. Markets for recyclable materials continue to be available.

### **IMPLEMENTATION SCHEDULE**

Changes in the implementation schedule have occurred but have not significantly affected the ability of the County and cities to obtain planned diversion levels for the 2000 year.

## **CHAPTER 6.0      LOCAL TASK FORCE (LTF)**

### ***Response to Minority Opinion***

The City of Modesto sent two letters, March 7, 2001 (appendix H) and August 28, 2001 (appendix I), to the Stanislaus County Department of Environmental Resources. Some issues raised in both of the letters were considered as part of the lengthy five-year review process undertaken by the LTF. All issues requiring consideration and discussion were put to a vote.

The votes resulted in two distinct opinions: the majority opinion (the County and all jurisdictions excluding the City of Modesto) and the minority opinion (the City of Modesto). The following response to both letters will serve as the response to the minority opinion as requested by the CIWMB staff:

#### **First letter from the City of Modesto (March 7, 2001):**

One day prior to the regularly scheduled meeting of the LTF, the City of Modesto's Solid Waste Program Manager, Jocelyn Reed, faxed a letter to the members of the LTF. The letter discussed three topics: 1. The proposed expansion of the Fink Road Landfill. 2. The concept of importing out-of-county waste. 3. The use of diversion credits from the food processing residue re-use program by the Regional Agency.

After thorough consideration of the issues raised by the City of Modesto, County staff made the following recommendations at the March 8, 2001 meeting of the LTF:

1. The LTF was not the appropriate forum for discussing the merits of the proposed landfill expansion except as it relates to a possible deficiency in the Siting Element or Summary Plan.
2. The importation of out-of-county waste is currently a proposed project, which will be considered by the City/County Solid Waste Executive Committee and the Integrated Waste Management Board.
3. The concept of shared recycling credit is a basic premise of regional agencies; therefore, discussion beyond the fact that a regional agency is being formed is not necessary.

A more complete discussion, with updated information, on the issues raised by the City of Modesto follows:

#### **Landfill Expansion**

The City of Modesto's assertion that the proposed landfill expansion is not specifically outlined in our original Siting Element, and therefore would require revision to accommodate an expansion, is not valid according to Elliot Block, legal counsel to the Waste Board. Mr. Block's analysis of the proposed landfill expansion as it relates to the five-year review was

communicated during several conference calls between County staff and Waste Board staff. Mr. Block explains his opinion using the "dot on the map" concept. In other words, the landfill was an actual place and occupied a spot on a map of the area at the time the Siting Element was produced; henceforth a revision to document is not necessary. On the contrary, if the landfill did not already exist then a revision to the Siting Element would, in fact, be required.

The City of Modesto has suggested that due to their population size they could unilaterally stop the landfill expansion. To support this claim they cite Public Resource Code, Section 41721.5 (a) "Any amendments to the countywide siting element shall be approved by...a majority of the cities...with the majority of the population..." (i.e., Modesto). Mr. Block's opinion differs in three ways:

1. The intent of the statute is not to enable any one jurisdiction regardless of population size to override the will of the majority.
2. Although the City of Modesto does have the largest population of all the cities in the county, the combined population of the unincorporated County and the remaining cities is greater than the City of Modesto alone.
3. Lastly, he cites the very same code (different subsection) (e) "No...city shall disapprove a proposed amendment unless it determines...significant impacts within its boundaries...." Moreover, because this project is well outside its boundaries, the City of Modesto will not be directly impacted and cannot unilaterally stop the project.

Furthermore, the merits of the proposed landfill expansion will be considered through the California Environmental Quality Act (CEQA) review process. Additionally, the project will also have to be considered by the Integrated Waste Management Board during the permitting process.

Finally, the purchase of the land adjacent to the Fink Road Landfill and the potential for an expansion of the landfill are consistent with the Siting Element. County staff reviewed and identified six different areas of consistency with the Siting Element that support the expansion: priority in siting, identifying areas for expansion, tentative reservation, facility location, life expectancy, and expansion options (appendix J).

#### Importation of Out-of-County Waste

As part of the City of Modesto's concern that this concept is inconsistent with the existing Siting Element, the following language was suggested by the City of Modesto at the April 9, 2001 LTF meeting to address this concern:

"Any such additional disposal capacity would be reserved for the sole use of the cities and the unincorporated areas of the County."

The existing Siting Element is silent on the subject of waste importation because it was not contemplated over five years ago. It is the opinion of County staff that the suggestion

above from the City of Modesto would be problematic for the County for the following reasons:

- a) The County owns the landfill and this would limit its potential use of same.
- b) The County currently has no long-term contracts with *any* jurisdictions for use of the landfill, whether from in-county jurisdictions or out-of-county jurisdictions.

The Stanislaus County Board of Supervisor's are interested in long-term planning and providing safe and reliable waste disposal for the future.

#### Food Processing Residue Program

Statute allows for the sharing of all types of diversion credit through the formation of a Regional Agency, including diversion resulting from the Food Processing Residue Use program. This form of diversion credit is listed in the County's annual report.

At the July 12, 2001 meeting of the LTF, the group agreed to add a paragraph to the Summary Plan that will discuss the formation of the regional agency. This paragraph will be incorporated into the five-year review report, but the planning documents do not have to be revised prior to the agency formation.

The Stanislaus County Regional Solid Waste Planning Agency (Regional Agency) will operate by means of a Joint Power's Agreement (JPA). The Regional Agency was formed to serve three main functions:

- a. Sharing of diversion credits and percentages.
- b. Ease the burdensome reporting process by allowing one regional agency annual report instead of the individual reports previously required.
- c. Allow for cost sharing in the implementation of diversion or educational programs that will benefit the entire regional agency.

At the July 23, 2002 meeting of the California Integrated Waste Management Board (CIWMB), the Regional Agency received official recognition by the Board (appendix K). In addition, at this same meeting the Regional Agency passed the 1999/2000 Biennial Review with a combined diversion rate of 52%. Officially the CIWMB will record an ND, Not Determined, for the year 2000. This is due to the timing of the formation of the Regional Agency. (appendix L)

(NOTE: The City of Oakdale's -10% diversion rate for the year 2000 is considered incorrect by County staff. A new diversion study was conducted in March 2001 and will be considered by the CIWMB.) (appendix M)

It should be noted that the Year 2000 Annual Report for all jurisdictions in the Regional Agency reflects the sharing of food processing residue reuse credit. In conclusion, it can be demonstrated that by its actions at the July 23, 2002 meeting the CIWMB has shown its continued commitment to Regional Agencies as an effective structure for the management of AB 939 projects throughout a region.

**Second letter from the City of Modesto (August 28, 2001):**

This letter was faxed to Jami Aggers, on the afternoon of her last day as a County employee at DER, by the City of Modesto's Solid Waste Program Manager, Jocelyn Reed.

The letter addresses replacement pages for the Final Draft Siting Element (FDSE) sent to all jurisdictions on March 19, 1996. In particular, apparent changes found by the City of Modesto in the FDSE that were not present in the FDSE that was approved by the Modesto City Council.

(NOTE: These documents are over five years old and many staff members who worked on these documents are no longer employed by Stanislaus County.)

Specifically, Ms. Reed's letter references an additional paragraph, 6.1.2, under the existing heading "Map Requirements", added to page 6-2 of the FDSE. Paragraph 6.1.2 is a narrative explanation of the map (figure 1) found on page 6-4 of the FDSE.

Currently, County staff has concluded that the insertion of paragraph 6.1.2 in the FDSE was a necessary narrative description needed to explain the map that was already in the document. It is assumed that prior County staff inadvertently neglected to include this necessary paragraph.

Secondly, the August 28, 2001 letter discusses table 9-2 on replacement page 9-3 of the FDSE sent to the City in March 1996. Table 9-2 is the implementation schedule for the solid waste facility siting program. The start and end dates for "Facility Design, Facility Construction and Full Operation" appear have changed in the replacement pages.

County staff has researched this issue and is unable to determine the specific reason for the change. However, staff believes these changes to be inconsequential for the following reasons:

1. The dates in table 9-2 are, in at least one case, clearly marked "Est." indicating they are estimations.
2. These timelines are still far off in the future and pose no immediate consequences.
3. It is the opinion of current County staff that the dates in table 9-2 of the FDSE are based upon early estimated capacities of the Fink Road Landfill. These projections contain many variables including daily fluctuations in volumes of waste, population changes, equipment performance/maintenance, waste-to-energy facility outages/downtime, changes in local, state and federal regulations, and daily landfill cover options. All of these variables can produce different landfill life expectancies when considered at any given time.
4. Also, page 3-3 of the FDSE clearly states the following:



“...figures were based on preliminary site development data and estimations which had been developed in-house, for the Fink Road Landfill. These figures were later revised by the consulting firm which the county employed to prepare revised Site Development Plans.”

Therefore, it appears that with the revised estimated landfill capacity the implementation schedule found in table 9-2 on page 9-3 of the FDSE was also updated to be consistent with the entire document. It should be noted that CIWMB staff requested, as part of their review of the Preliminary Draft Siting Element, a clarification of the estimated capacity of the Fink Road Landfill.

“...Staff noted that on pages 4-1 and 5-6 of the CSE the Fink Road Landfill for the Class III disposal area has an estimate of either 16 or 22 years of remaining disposal capacity...” (appendix N)

In other words, the estimated capacity of the Fink Road Landfill was revised from 16 to 22 years and naturally table 9-2 was updated as well.

5. Lastly, the dates in the FDSE approved by the Modesto City Council vary from 2008 to 2036. The dates in the replacement pages vary from 2014 to 2036. County staff believes there is no impact of any kind on any jurisdiction in the County as a result of the changes.

The County continually strives to produce the most accurate and complete documents; any deficiencies and/or changes to the FDSE were made unintentionally. The County is confident the documents are complete and have been thoroughly developed with input reflecting the goals and desires of the County and all of its jurisdictions.

## **CHAPTER 7.0      SUMMARY**

The overall framework of the CIWMP is still applicable.

The goals, objectives, policies, waste management infrastructure, funding sources, and responsible administrative organizational units noted throughout the CIWMP still are accurately described.

Recently, as part of the 1999/2000 biennial review, a comprehensive review and update of the Program Annual Report Information System (PARIS) reports was completed. All programs for the County and its local jurisdictions were exhaustively reviewed through individual meetings with each city. The PARIS reports were brought current with all pertinent information and compared with the original SRRE's and HHWE's for any deficiencies.

Outside of the updates to the CIWMP recommended by the LTF and discussed in Chapter 4.0, the County feels that the most effective allocation of available resources at this time is to continue to utilize the existing CIWMP as a planning tool augmented by the annual reports.

Consequently, the County does not believe a complete revision of its CIWMP is warranted or desirable at this time.